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BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR THE COUNTY OF LINCOLN

ORDINANCE # 178

Lincoln County Legal Counsel

AN ORDINANCE ALLOWING THE COUNTY SURVEYOR TO PERFORM SURVEYS OF ANY TRACT OF LAND IN THE COUNTY AT THE EXPENSE OF PERSON REQUESTING SURVEY, AND DECLARING AN EMERGENCY

The Lincoln County Board of Commissioners hereby ORDAINS as follows:

Section I: Private Surveys, Mandated Surveys, Liability

(1) Except as provided in subsection (2) of this section, in addition to performing the duties of county surveyor, the county surveyor may perform a survey of any tract of land in the county at the expense of the person requesting the survey.

(2) A county surveyor shall not perform a survey pursuant to subsection (1) of this section that would interfere with the surveyor's duties as county surveyor.

(3) A survey performed pursuant to subsection (1) of this section shall not be considered a service rendered in the course or scope of the county surveyor's office or employment for any purpose. No liability shall attach to, or be assumed by, Lincoln County from the performance of or agreement to perform, that survey by the surveyor.

Section II: County Line Surveys

In any survey affecting a county line, the county surveyor shall notify in writing the surveyor of the adjoining county and shall make reasonable efforts to cooperate with that surveyor in making the survey. Notice shall be considered given

Lincoln County Legal Counsel
Lincoln County Courthouse, room 201
225 W. Olive Street
Newport, OR 97135
Phone: 265-5241 ext. 265

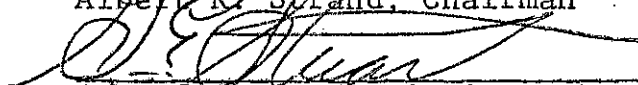
1 in accordance with this section if properly addressed and mailed
2 at least six calendar days before commencing the survey. Upon
3 completion of the survey, the surveyor shall file a copy of the
4 plat and field notes of the survey in the county surveyor's
5 office.

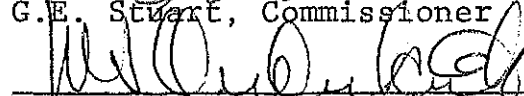
6 Section III: This ordinance being necessary for the
7 immediate preservation of the public peace, health, and safety,
8 an emergency is declared to exist, and this ordinance takes ef-
9 fect on its adoption.

10 DATED this 21st day of July, 1982.

11 LINCOLN COUNTY BOARD OF COMMISSIONERS

12 
13 Albert R. Strand, Chairman

14 
15 G.E. Stewart, Commissioner

16 
17 W.S. Ouderkerk, Commissioner